

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 4-10, 13, 16-20, 23 and 50 are pending in the present application. No claims are amended by the present amendment, thus, no new matter is added.

In the outstanding Office Action, Claims 1-7, 10, 13-18, 23 and 50 were rejected under 35 U.S.C. §103(a) as unpatentable over Eldridge et al. (U.S. Pat. No. 6,421,716, herein “Eldridge”) in view of Applicant’s admitted prior art (herein “APA”); and Claims 8 and 19 were rejected under 35 U.S.C. §103(a) as unpatentable over Eldridge in view of Parasnis (U.S. Pat. No. 7,284,199); and Claims 9 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over Eldridge.

Addressing now the rejection of Claims 1-10, 13-20, 23 and 50 under 35 U.S.C. §103(a) as unpatentable over Eldridge in view of APA, that rejection is respectfully traversed.

Claim 1 recites, in part,

a service providing part configured to provide a service which a user utilizes,

wherein said service providing part further includes a service information providing part configured to provide information concerning the service, in response to a request from a user terminal, to the user terminal, the information including at least a port number of a transport layer protocol corresponding to an end point of the service, an operation status of the service and an implementation type of the service and enabling the user to utilize the service when selected, and

wherein the service is configured to operate a hardware resource which performs image formation,

wherein said service information providing part includes a service information obtaining part obtaining the information concerning the service from a service information storing part storing the information concerning the service, and

wherein the request includes a search condition, and said service information providing part further includes a determining part based on the search condition whether or not the information concerning the service obtained by said service

information obtaining part is information concerning the service required by the request.

Claims 13, 23 and 50 recite similar features.

Eldridge describes a system for performing document services using a mobile computing device. Specifically, Eldridge describes that a user is able to use a mobile phone to select a document stored on a remote server to be acted upon by one of a number of remote services.

In addition, Applicants stated on page 16 of the response of October 21, 2008 that “in order to communicate with TCP or UDP transport layer protocols, not only the IP address of the destination, but also the port number is needed.” The outstanding Action has asserted that this statement makes some sort of admission regarding what is “prior art.” Applicants respectfully traverse this assertion and submit that Applicants never asserted anything was “prior art” to Applicants invention. In addition, Applicants note that the above noted statement has nothing to do with whether Eldridge describes certain features of the claimed invention.

Specifically, Eldridge does not describe or suggest that said service providing part further includes a service information providing part configured to provide information concerning the service, in response to a request from a user terminal, to the user terminal, the information including at least a port number of a transport layer protocol corresponding to an end point of the service, an operation status of the service and an implementation type of the service and enabling the user to utilize the service when selected, as is recited in Claim 1.

Moreover, Applicants’ above noted statement does not cure this deficiency of Eldridge.

The outstanding Action asserts on page 3 that col. 4, lines 24-36 and col. 10, lines 4-10 of Eldridge describes providing information concerning the service to the user terminal in

response to a request from the user terminal, the information including 1) a port number of a transport layer protocol corresponding to an end point of the service, 2) an operation status of the service and an implementation type of the service and enabling the user to utilize the service when selected.

However, Applicants respectfully traverse this assertion and submit that the “document services available on the network” mentioned in col. 4, lines 24-36 and the “list of available services” mentioned in col. 10, lines 4-10 never describe or suggest including the above noted 1) and 2) elements which are included in the information concerning the service provided to the user terminal.

With regard to the above noted number 1) the outstanding Action asserts that Applicants’ statement that “in order to communicate with TCP or UDP transport layer protocols, not only the IP address of the destination, but also the port number is needed” cures the fact that Eldridge never describes that any provided information includes a port number of a transport layer protocol corresponding to an end point of the service. Applicants respectfully traverse this assertion and submit that the above noted statement does not cure the deficiencies of Eldridge.

Specifically, the outstanding Action asserts that “since Eldridge teaches using well known network communication protocols such as TCP...not only the IP address of the destination but the port number is needed it is inherent in Eldridge that the information includes at least a port...” However, such an assertion is clearly erroneous.

First of all, nothing in Eldridge describes that an IP address is included the “list of available services” noted above. In fact, there is significant evidence that the list of available services of Eldridge includes no addresses at all. In addition, just because the port number is needed in order to communicate with TCP or UDP transport layer protocols does not mean that this information automatically must be included in the “list of available services.” In fact

in Eldridge no port number is included in the “list of available services” nor would it be inherent to do so.

In addition, with regard to the above noted number 2) the outstanding Action states that item 500 in Figure 7 of Eldridge is equivalent to the recited operation status of the service, however, Applicants respectfully traverse this assertion.

Specifically, nothing in Eldridge describes that a *status of the service* is included in the “list of available services.” Moreover, the “status:printing” shown in Figure 7 is not an operation status of the *service* but is instead a status of the “mobile computing device” as is described in lines 35-37 of col. 7. Thus, item 500 of Figure 7 of Eldridge cannot be asserted as describing this feature of the claimed invention.

In addition, Applicants note that Eldridge does not describe or suggest that the request includes a search condition, and said service information providing part further includes a determining part based on the search condition whether or not the information concerning the service obtained by said service information obtaining part is information concerning the service required by the request, as is recited in Claim 1.

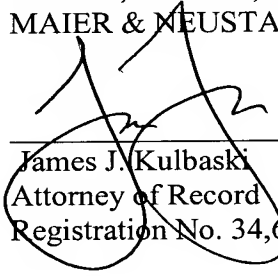
The outstanding Action asserts on page 3 that col. 11 of Eldridge, and specifically the fact that Eldridge determines devices which are proximate to the requesting device and provides services of these proximate devices, describes the above noted feature of Claim 1. Applicants respectfully traverse this assertion and submit that this description of Eldridge is not equivalent to including a search condition in the request and determining services based on the search condition. This is the case, at least, because the determination of proximate devices is not based on a search condition included in the request.

Accordingly, Applicants respectfully submit that Claim 1 and similarly Claims 13, 23 and 50, and claims depending therefrom, patentably distinguish over Eldridge and APA.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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